

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2016 APR 26 PM 2:29

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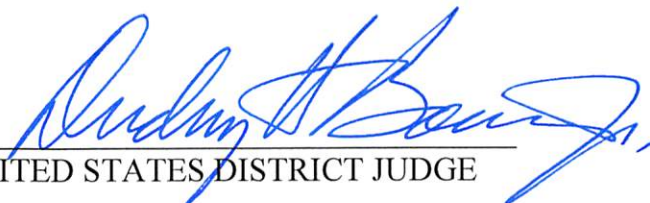
RUSSELL GAITHER,)	
)	
Plaintiff,)	
)	
v.)	CV 316-010
)	
MS. ARCHER; WARDEN BUTTS;)	
MRS. CASON; MRS. DeANN MORRIS;)	
OFFICER (Sgt.) FARMER;)	
MRS. MITZI HALL; LT. O'NEAL; and)	
NURSE PULLIN,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed, (doc. no. 17). Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion. Therefore, the Court **DENIES** Plaintiff's request to proceed *in forma pauperis*, (doc. no. 2), and **DENIES AS MOOT** the motion for appointment of counsel, motion to file an amended complaint, and motion for the return of legal mail. (Doc. nos. 4, 5, 8.) The Court likewise **DENIES AS MOOT** the motion for appointment of counsel filed with Plaintiff's objections. (Doc. no. 16.) Finally, the Court **DISMISSES** this case without prejudice, and **CLOSES** this civil action. If Plaintiff wishes to proceed with the claims

raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

SO ORDERED this 26th day of April, 2016, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE